

Agricultural Marketing Service, USDA

Pt. 915

(4) Such grapefruit are at least pack size 48 with a minimum diameter limit of $3\frac{1}{16}$: *Provided*, That any handler may handle grapefruit smaller than pack size 48, if such grapefruit grade at least U.S. No. 1 and they are at least pack size 56 with a minimum diameter limit of $3\frac{1}{16}$ inches.

(5) An appropriate inspection certificate has been issued for such fruit within 48 hours prior to the time of shipment. No handler may transport by motor vehicle or cause the transportation of any shipment of fruit for which an inspection certificate is required unless each such shipment is accompanied by a copy of the inspection certificate applicable thereto, and a copy of such inspection certificate is surrendered upon request to Texas Department of Agriculture personnel designated by the committee.

(6) The fruit meets all the applicable container and pack requirements effective under this marketing order.

(7) Beginning in 1995, this paragraph (a) is suspended each year from July 1 through August 31 of each year.

(b) Terms relating to grade, pack size, and diameter shall mean the same as in the U.S. Standards for Grades of Oranges (Texas and States other than Florida, California, and Arizona) (7 CFR 51.680 through 51.714) or in the U.S. Standards for Grades of Grapefruit (Texas and States other than Florida, California and Arizona) (7 CFR 51.620 through 51.653).

[47 FR 1266, Jan. 12, 1982, as amended at 51 FR 41070, Nov. 13, 1986; 54 FR 3421, Jan. 24, 1989; 54 FR 41584, Oct. 11, 1989; 56 FR 55983, Oct. 31, 1991; 58 FR 52401, Oct. 8, 1993; 58 FR 54926, Oct. 25, 1993; 59 FR 56383, Nov. 14, 1994; 60 FR 33679, June 29, 1995; 60 FR 54292, Oct. 23, 1995; 61 FR 43141, Aug. 21, 1996; 64 FR 47358, Aug. 31, 1999]

PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

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AUTHORITY: 7 U.S.C. 601-674.

SOURCE: 19 FR 3439, June 11, 1954, unless otherwise noted. Redesignated at 26 FR 12751, Dec. 30, 1961.

Subpart—Order Regulating Handling

DEFINITIONS

§ 915.1 Secretary.

Secretary means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or may hereafter be, authorized to exercise the powers and perform the duties of the Secretary of Agriculture of the United States.

§ 915.2 Act.

Act means Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended, 68 Stat. 906, 1047; 7 U.S.C. 601 *et seq.*).

[19 FR 3439, June 11, 1954, as amended at 20 FR 4177, June 15, 1955. Redesignated at 26 FR 12751, Dec. 30, 1961]

§ 915.3 Person.

Person means an individual, partnership, corporation, association or any other business unit.

§ 915.4 Production area.

Production area means the counties of Brevard, Orange, Lake, Polk, Hillsborough, and Pinellas in the State of Florida, and all of the counties of that State situated south of such counties.

[20 FR 4177, June 15, 1955. Redesignated at 26 FR 12751, Dec. 30, 1961]

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§ 915.5 Avocados.

Avocados means all varieties of avocados grown in the production area.

§ 915.6 Fiscal year.

Fiscal year means the twelve-month period ending March 31 of each year.

§ 915.7 Committee.

Committee means the Avocado Administrative Committee established pursuant to § 915.20.

§ 915.8 Grower.

Grower is synonymous with producer and means any person who produces avocados for market and who has a proprietary interest therein: *Provided*, That as used in § 915.22 the term grower shall include only those who have a proprietary interest in the production of 10 or more bearing avocado trees.

[19 FR 3439, June 11, 1954, as amended at 22 FR 3513, May 21, 1957. Redesignated at 26 FR 12751, Dec. 30, 1961]

§ 915.9 Handler.

Handler is synonymous with shipper and means any person (except a common or contract carrier transporting avocados owned by another person) who handles avocados or causes avocados to be handled.

§ 915.10 Handle.

Handle means to sell, consign, deliver, or transport avocados within the production area or between the production area and any point outside thereof: *Provided*, That such term shall not include: (a) The sale or delivery of avocados to a handler, registered as such with the committee in accordance with such rules and regulations as it may prescribe with the approval of the Secretary, who has facilities within the production area for preparing avocados for market; (b) the delivery of avocados to such a handler solely for the purpose of having such avocados prepared for market; or (c) the transportation of avocados by a handler, so registered with the committee, from the grove to his packing facilities within the production area for the purpose of having such avocados prepared for market. In the event a grower sells his avocados to a handler who is not so registered with